

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA : **PROTECTIVE ORDER**
:
- v. - : 19 Cr. 834 (AKH)
:
EDWIN PATRICIO MINA-ARCE, :
:
Defendant. :
:
- - - - - X

HON. ALVIN K. HELLERSTEIN, District Judge:

1. WHEREAS, EDWIN PATRICIO MINA-ARCE (the "Defendant") has certain rights under the United States Constitution, federal statutes, and the Federal Rules of Criminal Procedure, to pre-trial discovery materials;

2. WHEREAS, the Government recognizes its obligation to provide such discovery materials to the Defendant, consistent with safety considerations and the confidentiality of ongoing investigations;

3. WHEREAS, the discovery materials that the Government has provided and intends to provide to the Defendant contain certain materials that, if disseminated to third parties, could, among other things, implicate the safety of others, including by revealing the identities of individuals cooperating with law enforcement, and impede ongoing investigations;

4. IT IS HEREBY ORDERED that, pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure and subject to the additional limitations set forth below, the discovery materials provided by the Government to counsel for the Defendant ("Defense Counsel"), and discovery materials provided in the future, shall not be further disseminated by the Defendant or Defense Counsel to any individual, organization, or entity other than members of the Defendant's own defense team (limited to: co-counsel, paralegals, investigators, translators, litigation support personnel, secretarial staff, and the Defendant);

5. IT IS FURTHER ORDERED that the discovery materials may not be provided to any foreign person or entity (even if such person or entity is a member of the defense team) and may not be transmitted outside of the United States for any purpose;

6. IT IS FURTHER ORDERED that each of the individuals to whom disclosure of the discovery materials is made shall be provided a copy of this Protective Order by Defense Counsel and will be advised by Defense Counsel that he or she shall not further disseminate or discuss the materials and must follow the terms of this Protective Order;

7. IT IS FURTHER ORDERED that Defense Counsel may seek authorization of the Court, with notice to the Government, to show

(but not provide copies of) certain specified discovery materials to persons whose access to discovery materials is otherwise prohibited by the preceding paragraphs, if it is determined by the Court that such access is necessary for the purpose of preparing the defense of the case;


8. IT IS FURTHER ORDERED that all discovery materials are to be provided to the Defendant, and used by Defense Counsel, solely for the purpose of allowing the Defendant to prepare his defense to the charges in Indictment 19 Cr. 834 (AKH), and that none of the discovery materials produced by the Government to the Defendant shall be disseminated to any other third party in a manner that is inconsistent with the preceding paragraphs;

9. IT IS FURTHER ORDERED that, at the conclusion of this case, Defense Counsel shall return to the Government all copies of the discovery materials provided in this case;

10. IT IS FURTHER ORDERED that nothing in this Protective Order prohibits the media from requesting copies of any items that are received by the Court as public exhibits at a hearing, trial, or other proceeding; and

11. IT IS FURTHER ORDERED that nothing in this Protective Order shall preclude the Government from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material.

Dated: 7-19, 2021
New York, New York


THE HONORABLE ALVIN K. HELLERSTEIN
United States District Judge
Southern District of New York



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 19, 2021

BY ECF

The Honorable Alvin K. Hellerstein
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

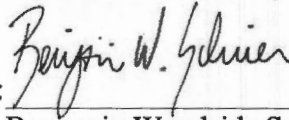
Re: *United States v. Edwin Patricio Mina-Arce*, 19 Cr. 834 (AKH)

Dear Judge Hellerstein:

The Government respectfully requests that the Court enter the enclosed protective order governing the discovery materials produced by the Government in the above-captioned case. Clay Kaminsky, Esq., counsel to Edwin Patricio Mina-Arce, the defendant, consents to the entry of the order on behalf of the defendant.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: 
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Assistant United States Attorney
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